

ARMAS & JOSEPH, APC
Andrei Armas, Esq. (299703)
aa@armasjoseph.com
1712 W. Beverly Blvd., Suite 201
Montebello, CA 90640
Telephone: (213) 669-2984
Facsimile: (213) 669-2984

Attorney for Plaintiff,
Lamore Payne

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LAMORE PAYNE,
Plaintiff,
v.
COMDATA INC.,
Defendant.

Case No: 2:24-CV-00377-DJC-CKD

**STIPULATION RE: DISMISSAL [Fed.
R. Civ. P. 41(a)(1)(A)(ii)]; AND ORDER**

Complaint filed: 2/1/24
First Amended Complaint filed: 2/1/24
Second Amended Complaint filed: 2/29/24

Judge: Hon. Daniel J. Calabretta

STIPULATION

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff LAMORE PAYNE (“Plaintiff”) and Defendant COMDATA INC. (“Defendant”) (collectively, the “Parties”), by and through their respective counsel of record, hereby enter into the following stipulation and mutually request the Court to enter an order dismissing this action in its entirety, with prejudice, with reference to the following facts:

1. Plaintiff filed his Complaint in this action on February 1, 2024;
2. Plaintiff filed his First Amended Complaint on February 1, 2024;
3. Plaintiff filed his Second Amended Complaint on February 29, 2024;
4. Defendant filed its Answer to Plaintiff’s Second Amended Complaint on May 28, 2024;

1 5. The Parties entered into a Stipulation to Submit Matter to Arbitration and
2 Request to Stay and this Court signed the order on the Parties' Stipulation
3 on June 7, 2024;

4 6. The Parties reached an amicable and complete resolution of this matter
5 on June 2, 2025;

6 7. In light of the resolution, the Parties wish to effect dismissal of this action
7 in its entirety, with prejudice;

8 8. Plaintiff is deceased, and his surviving spouse, Angela Mae Robinson,
9 has the ability as successor in interest to act on behalf of his estate for
10 purposes of this action, including settlement. As such, she has the ability
11 to instruct Plaintiff's attorneys to enter into and execute this stipulation.

12 NOW THEREFORE, the Parties hereby stipulate that, pursuant to Federal
13 Rules of Civil Procedure, Rule 41(a)(1)(A)(ii), this action is to be dismissed in its
14 entirety, with prejudice. The Parties agree to bear their own fees and costs
15 associated with this action and the dismissal thereof. Plaintiff shall file this
16 Stipulation with the Court for an order thereon.

17 Dated: July 17, 2025

ARMAS & JOSEPH, APC

18 By: /s/Andrei Armas
19 Andrei Armas
20 Attorneys for Plaintiff
LAMORE PAYNE

21 Dated: July 17, 2025

CARLE, MACKIE, POWER & ROSS LLP

22 By: /s/Philip J. Terry
23 Philip J. Terry
24 Kimberly Corocran
25 Attorneys for Defendant
COMDATA INC.

ORDER

PURSUANT TO THE FOREGOING STIPULATION, IT IS HEREBY ORDERED that this action is hereby DISMISSED WITH PREJUDICE IN ITS ENTIRETY. Each party is to bear its own costs and expenses incurred to date in defense and/or prosecution of this matter.

IT IS SO ORDERED.

Dated: July 17, 2025

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28